MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendant
By: SARAH S. NORMAND (SN-2834)
ELIZABETH WOLSTEIN (EW-5194)
Assistant United States Attorneys
86 Chambers Street
New York, New York 10007
Telephone: (212) 637-2709/2743
Facsimile: (212) 637-2702/2686

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATED PRESS, Plaintiff,	**ECF Case**
- against -	05 Civ. 5468
UNITED STATES DEPARTMENT OF DEFENSE, Defendant.	NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that defendant the United States Department of Defense, by and through its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, appeals to the United States Court of Appeals for the Second Circuit from the Opinion and Order dated September 20, 2006, and entered on the docket on September 21, 2006, in the above-captioned case.

Dated: New York, New York
November 20, 2006

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendant

By: [signature]

SARAH S. NORMAND (SN-2834)
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Assistant United States Attorneys
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New York, New York 10007
Telephone: (212) 637-2709
Facsimile: (212) 637-2702

TO: CLERK
United States Court of Appeals
for the Second Circuit
United States Courthouse
Foley Square
New York, New York 10007

David Schulz, Esq.
Levine Sullivan Koch & Schulz
230 Park Avenue
New York, NY 10169
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Elizabeth Wolstein, an Assistant United States Attorney for the Southern District of New York, hereby certify that on November 20, 2006, I served a copy of the foregoing Notice of Appeal, by first class mail, upon the following:

David Schulz, Esq.
Levine Sullivan Koch & Schulz
230 Park Avenue
New York, NY 10169
Attorneys for Plaintiff

Dated: New York, New York
November 20, 2006

ELIZABETH WOLSTEIN
Assistant United States Attorney
Telephone: (212) 637-2743
Facsimile: (212) 637-2686